

Message Text

LIMITED OFFICIAL USE

PAGE 01 CASABL 00970 280816Z

22

ACTION NEA-10

INFO OCT-01 ISO-00 XMB-02 EB-07 L-03 TRSE-00 CIAE-00

INR-07 NSAE-00 /030 W

----- 028539

P 271640Z AUG 76

FM AMCONSUL CASABLANCA

TO SECSTATE WASHDC PRIORITY 4317

LIMITED OFFICIAL USE CASABLANCA 0970

FOR ESCUDERO, NEA/AFN

E.O. 11652: N/A

TAGS: EFIN, MO

SUBJ: FCIA CLAIM NO MC-284-J SATFILAGE

REF: (A) CASABLANCA 0933

1. PLEASE INFORM BOGDANOFF OF EXIM BANK THAT SATFILAGE'S LAWYER HAS MADE SAME OFFER TO MOHAMED TEBER (EXIM BANK'S LAWYER) FOR OUT-OF-COURT SETTLEMENT PER REFTEL. OFFER WAS MADE AUGUST 18 WHICH ENABLED SATIFILAGE TO OBTAIN POSTPONEMENT OF COURT HEARING SCHEDULED FOR THAT DATE.

2. TEBER ADVISES OUT-OF-COURT SETTLEMENT DEPENDENT UPON EXIM'S ACCEPTANCE OF TOTAL PAYMENT AMOUNTING TO DH 350,000 IN SEVEN EQUAL MONTHLY INSTALLMENTS. FIRST PAYMENT WOULD BE MADE IMMEDIATELY UPON OFFICIAL NOTIFICATION THAT EXIM AGREES TO THIS ARRANGEMENT. SATFILAGE'S OFFER ALSO CONTAINS REQUEST THAT LIEN FILED AGAINST ITS BANK ACCOUNT AT BANQUE MAROCAINE DU COMMERCE EXTERIEUR BE WITHDRAWN, AND POSSIBLY FIVE OTHER BANKS WHERE COMPANY MAINTAINS SMALL ACCOUNTS.

3. ALTERNATIVE IS TO CONTINUE AS ORIGINALLY INTENDED AND OBTAIN COURT JUDGMENT ENFORCING PAYMENT. TEBER IS CONFIDENT THAT COURT WILL RENDER SUCH A DECISION. THIS WILL TAKE ANOTHER SEVEN MONTHS, HOWEVER. ACCORDING TO TEBER THE EARLIEST POSSIBLE DATE CASE CAN
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 CASABL 00970 280816Z

NOW BE PLACED ON COURT'S CALENDER IS OCTOBER. IT WILL THEN TAKE

THREE MONTHS TO RECEIVE WRITTEN JUDGEMENT AND AN ADDITIONAL THREE MONTHS FOR EXECUTION. WHEREAS SATFILAGE'S OFFER FOR OUT-OF-COURT SETTLEMENT AMOUNTS TO DH 350,000, TEBER ESTIMATES JUDGEMENT WILL AMOUNT TO DH 390,000 WHICH INCLUDES INTEREST.

4. TEBER RECOMMENDS ACCEPTANCE OF OUT-OF-COURT SETTLEMENT AND IS AGREEABLE TO WITHDRAWING LIEN AGAINST COMPANY'S BMCE BANK ACCOUNT. AS HOPEFUL ASSURANCE IN RECEIVING PROMPT PAYMENT OF THE SEVEN MONTHLY INSTALLMENTS HE WOULD, HOWEVER, HOLD LEGAL PROCEEDINGS AGAINST SATFILAGE IN ABEYANCE. AS WE UNDERSTAND IT, IF COMPANY DEFAULTS IN ANY OF THE PAYMENTS HE WOULD THEN PETITION THE COURT TO REPLACE THE CASE ON ITS CALENDER TO OBTAIN A JUDGEMENT FOR THE UNPAID BALANCE.

5. COMMENT: WE ARE QUITE DUBIOUS ABOUT THE AGHA BROTHERS' INTENTION TO CARRY OUT THEIR COMMITMENT. WITHIN RECENT WEEKS THEIR REPUTATION HAS BEEN DISCUSSED WITH THE COMMERCIAL ATTACHES OF AUSTRIA AND BELGIUM. THEY HAVE ADVISED THAT SATFILAGE HAS DEFAULTED IN PAYING FOR EQUIPMENT PURCHASED IN BOTH COUNTRIES. SO FAR THE AUSTRAIN MANUFACTURER INTENDS TO TAKE LEGAL ACTION TO COLLECT PAYMENT. IN ADDITION, THALEG AGHA, PRESIDENT OF SATFILAGE, HAS BEEN PROMISING PHILIP F. BOGATIN INC., PHILADELPHIA, PA, EVER SINCE MAY 1975 TO LIQUIDATE AN INDEBTEDNESS OF \$30,000 AND HE HAS YET TO REMIT ONE SOU. BOGATIN ALSO CONTEMPLATES LEGAL ACTION AND HAS CONTACTED TEBER TO REPRESENT THEM. ADMITTEDLY EXIM'S CHOICES ARE LIMITED AND THE RAMIFICATION OF EACH AW MANY. IF THEY OPT FOR COURT JUDGMENT IT MEANS ANOTHER SEVEN MONTHS (ACCRUED INTEREST BEING APPLICABLE) WITH PROSPECT THAT SATFILAGE'S LIQUID AND FIXED ASSETS MAY NOT SATISFY DEBT. ALSO, THERE IS PROBLEM OF SATFILAGE'S INDEBTEDNESS TO OTHERS WITH ATTENDANT PROBLEM OF WHOSE DEBT TAKES PRECEDENCE. ON THE OTHER HAND OUT-OF-COURT SETTLEMENT MAY EVOKE PAYMENTS OF PERHAPS DH 150,000 BEFORE COMPANY DEFAULTS WHICH WOULD THEN NECESSITATE COURT ACTION FOR THE BALANCE.

6. PLEASE INFORM US OF YOUR DECISION. MONJO

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CLAIMS, DEBT REPAYMENTS, COURT DECISIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 27 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976CASABL00970
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760328-1090
From: CASABLANCA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760814/aaaaalgj.tel
Line Count: 98
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 CASABLANCA 933
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 17 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 JUN 2004 by BoyleJA>; APPROVED <13 OCT 2004 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FCIA CLAIM NO MC-284-J SATFILAGE
TAGS: EFIN, MO, XMB
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006